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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA	)	Case No. CR-S-99-433-WBS
	)	
Plaintiff,	)	
	)	STIPULATION AND [ <del>PROPOSED</del> ] ORDER
v.	)	RESETTING BRIEFING SCHEDULE ON
JOHN THAT LUONG, et al.,	)	DEFENDANT JOHN LUONG'S MOTION TO
	)	RECONSIDER
Defendants.	)	

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The United States of America, through its counsels of record, McGregor W. Scott, United States Attorney for the Eastern District of California, and William S. Wong and Jason Hitt, Assistant United States Attorneys; defendant John That Luong, through his counsel, Richard Mazer, Esq., stipulate and agree to the following revised motion schedule on defendant John Luong's pending motion to reconsider and exclusion of time under the Speedy Trial Act:

1. Government's response to defendant Luong's motion to reconsider to be filed on January 10, 2007;
2. Defendants' reply, if any, to be filed by January 24, 2007; and
3. Hearing on the motion: February 5, 2007, at 9:30 a.m.

1 Counsel for the government needs additional time to research  
2 and prepare its response to the defendants' motion and defendant is  
3 agreeable. Accordingly, the parties stipulate that time be excluded  
4 for the pendency of these motions pursuant to 18 U.S.C.  
5 § 3161(h) (1) (F) - delay resulting from any pretrial motion and 18  
6 U.S.C. § 3161(h) (8) (B) (ii) - additional time to adequately prepare  
7 for pretrial proceedings.

8  
9 Respectfully submitted,

10 MCGREGOR W. SCOTT  
11 United States Attorney

12 DATED: December 6, 2006

13 By: /s/ Jason Hitt  
14 JASON HITT  
Assistant U.S. Attorney


15 DATED: December 6, 2006

16 By: /s/ Richard Mazer  
17 RICHARD MAZER for defendant  
18 John That Luong  
19 Telephonically authorized to  
20 sign for Mr. Mazer on 12/05/06  
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ORDER

For the reasons set forth above, the revised law and motion schedule is adopted. Furthermore, time is excluded for the reasons set forth above.

DATED: December 6, 2006

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE